

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JASMINE MONTGOMERY,

*Plaintiff,*

v.

GRETCHEN BATAILLE, ET AL.

*Defendant.*

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Case No. 4:10cv73  
(Judge Clark/Judge Mazzant)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On July 26, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Polk's Motion for Summary Judgment [Doc. #126] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendant Polk's Motion for Summary Judgment [Doc. #126] is **GRANTED** and Plaintiff's case is **DISMISSED** with prejudice.

So **ORDERED** and **SIGNED** this **16** day of **August, 2012**.



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Ron Clark, United States District Judge